

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
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JOHN KENDRUP et al.) Group Art Unit: (unassigned)
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Application No.: (unassigned)) Examiner: (unassigned)
)
Filed: March 29, 2001)
)
For: METHOD FOR PRODUCING A)
 CONTROLLED-RELEASE)
 COMPOSITION)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the above-captioned patent application, kindly enter the following amendment.

IN THE CLAIMS:

Kindly replace claims 3-16 and 19-22 as follows.

3. (Amended) A method according to claim 1, wherein the mean particle size of the pore-forming agent is 0.1-500 μm , preferably is 0.5-100 μm and the most preferably 1-25 μm .

4. (Amended) A method according to claim 1, wherein the pore-forming agent is selected from a group consisting of potassium salts, calcium salts, magnesium salts, amino acids, weak acids, carbohydrates, polymers with amino and/or acid functions or a composition wherein at least one of the components is selected from one of these groups.

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5. (Amended) A method according to claim 1, wherein the pore-forming agent is potassium bitartrate, creatine, asparagine, glutamine, aspartic acid, glutamic acid, leucin, neroleucine, inosine, isoleucine, magnesium citrate, magnesium phosphate, magnesium carbonate, magnesium hydroxide, magnesium oxide or a composition wherein at least one component is selected from one of these substances.

6. (Amended) A method according to claim 1, wherein the pore-forming agent is chitosan and poly(butyl methacrylate, (2-dimethyl aminoethyl) methacrylate, methyl methacrylate) 1:2:1.

7. (Amended) A method according to claim 1, wherein the water insoluble polymer is selected from one of the groups of cellulose esters, acrylic polymers, polyvinyl acetates, polyvinyl chlorides or a composition wherein at least one component is selected from one of the groups.

8. (Amended) A method according to claim 1, wherein the coating polymer is ethylcellulose, celluloseacetate, celluloseacetatebutyrate, celluloseacetatepropionate, nitrocellulose, polymethylmethacrylate, poly(ethylacrylate, methylmetacrylate), polyvinylacetate, polyvinylchloride, polyethylene, polyisobutylene, poly(ethylacrylate, methylmetacrylate, trimethylamonioethylmethacrylatchloride), a block- or copolymer of the polymers or a composition wherein at least one of the components is selected from these polymers.

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9. (Amended) A method according to claim 1, wherein the coating polymer is a copolymer consisting of 50-100% by weight of polyvinyl chloride and 0-50% by weight of polyvinyl acetate.

10. (Amended) A method according to claim 1, wherein the coating polymer is a copolymer consisting of 80-95% by weight of polyvinylchloride, 0,5-19% by weight of polyvinylacetate and 0,5-10% by weight of polyvinylalcohol.

11. (Amended) A method according to claim 1, wherein the solid core includes at least one drug selected from the group consisting of tranquillizers, antibiotics, hypnotics, antihypertensives, antianginas, analgesics, antiinflamatorics, neuroleptics, antidiabetics, diuretics, anticholinergics, antihyperacidics or antiepileptics, ACE inhibitors β-receptor antagonists and agonists, anaesthetics, anorexiants, antiarrythmics, antidepressants, anticoagulants, antidiarrhoetics, antihistamines, antimarialies, antineoplastics, immunosuppressives, antiparkinsonians, antipsychotics, antiplatelets, diuretics, antihyperlipidics.

12. (Amended) A method according to claim 1, wherein the drug for the solid core is potassium chloride, theophylline, a theophylline salt, phenylpropanolamine, sodium salicylate, choline theophyllinate, paracetamole, carbidopa, levodopa, diltiazem, enalapril, verapamil, naproxen, pseudoephedrin, nicorandil, oxybutuin, morphine, oxycodone or propranolol.

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13. (Amended) A method according to claim 1, wherein the aqueous dispersion includes at most 20%, preferably at most 10% and most preferably at most 5% by weight of organic solvent.

14. (Amended) A method according to claim 1, wherein the obtained coated cores are cured with heat or moisture.

15. (Amended) A method according to claim 1, wherein the pore-former in the coating suspension is stabilized with one or more ionic, non-ionic or polymer surfactants.

16. (Amended) A method according to claim 1, wherein the coating polymer is plasticized.

19. (Amended) Preparation according to claim 17, wherein the amount of the pore-forming agent is 40-95, preferable 50-90% and most preferably 55-88% by weight of the total weight of the dry coating.

20. (Amended) Preparation according to claim 17, wherein the polymer is ethylcellulose, cellulose-acetate, celluloseacetatebutyrate, celluloseacetatepropionate, nitrocellulose, polymethylemethacrylate, poly(ethylacrylate, methylmethacrylate), polyvinylacetate, polyvinylchloride, polyethylene, polyisobutylene, poly(ethylacrylate, methylmethacrylate, trimethylammonioethylmethacrylatchloride), a block-or copolymer of the

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polymers or a composition wherein at least one of the components is selected from these polymers.

21. (Amended) Preparation according to claim 17, wherein the coating polymer is a copolymer consisting of 50-100% by weight of polyvinyl chloride and 0-50% by weight of polyvinyl acetate.

22. (Amended) Preparation according to claim 17, wherein the coating polymer is a copolymer consisting of 80-95% by weight of polyvinylchloride, 0,5-19% by weight of polyvinylacetate and 0,5-10% by weight of polyvinylalcohol.

REMARKS

The present Amendment is intended to eliminate the use of multiple dependency.

The examination and allowance of the application are respectfully requested.

Respectfully submitted,

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Attachment to Preliminary Amendment dated March 29, 2001

Marked-up Claims 3-16 and 19-22

3. (Amended) A method according to [any one of the claims 1-2] claim 1, wherein the mean particle size of the pore-forming agent is 0.1-500 μm , preferably is 0.5-100 μm and the most preferably 1-25 μm .

4. (Amended) A method according to [any one of the claims 1-3] claim 1, wherein the pore-forming agent is selected from a group consisting of potassium salts, calcium salts, magnesium salts, amino acids, [week] weak acids, carbohydrates, polymers with amino and/or acid functions or a composition wherein at least one of the components is selected from one of these groups.

5. (Amended) A method according to [any one of the claims 1-4] claim 1, wherein the pore-forming agent is potassium bitartrate, creatine, asparagine, glutamine, aspartic acid, glutamic acid, leucin, neroleucine, inosine, isoleucine, magnesium citrate, magnesium phosphate, magnesium carbonate, magnesium hydroxide, magnesium oxide or a composition wherein at least one component is selected from one of these substances.

6. (Amended) A method according to [any one of the claims 1-5] claim 1, wherein the pore-forming agent is chitosan and poly(butyl methacrylate, (2-dimethyl aminoethyl) methacrylate, methyl methacrylate) 1:2:1.

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Marked-up Claims 3-16 and 19-22

7. (Amended) A method according to [any of the claims 1-6] claim 1, wherein the water insoluble polymer is selected from one of the groups of cellulose esters, acrylic polymers, polyvinyl acetates, polyvinyl chlorides or a composition wherein at least one component is selected from one of the groups.

8. (Amended) A method according to [any one of the claims 1-7] claim 1, wherein the coating polymer is ethylcellulose, celluloseacetate, celluloseacetatebutyrate, celluloseacetatepropionate, nitrocellulose, polymethylmethacrylate, poly(ethylacrylate, methylmethacrylate), polyvinylacetate, polyvinylchloride, polyethylene, polyisobutylene, poly(ethylacrylate, methylmethacrylate, trimethylamonioethylmethacrylatchloride), a block- or copolymer of the polymers or a composition wherein at least one of the components is selected from these polymers.

9. (Amended) A method according to [any one of the claims 1-7] claim 1, wherein the coating polymer is a copolymer consisting of 50-100% by weight of polyvinyl chloride and 0-50% by weight of polyvinyl acetate.

10. (Amended) A method according to [any one of the claims 1-7] claim 1, wherein the coating polymer is a copolymer consisting of 80-95% by weight of polyvinylchloride, 0,5-19% by weight of polyvinylacetate and 0,5-10% by weight of polyvinylalcohol.

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Marked-up Claims 3-16 and 19-22

11. (Amended) A method according to [any one of the claims 1-10] claim 1, wherein the solid core includes at least one drug selected from the group consisting of tranquillizers, antibiotics, hypnotics, antihypertensives, antianginas, analgesics, antiinflammatories, neuroleptics, antidiabetics, diuretics, anticholinergics, antihyperacidics or antiepileptics, ACE inhibitors β-receptor antagonists and agonists, anaesthetics, anorexiants, antiarrythmics, antidepressants, anticoagulants, antidiarrhoeotics, antihistamines, antimalarials, antineoplastics, immunosuppressives, antiparkinsonians, antipsychotics, antiplatelets, diuretics, antihyperlipidics.

12. (Amended) A method according to [any one of the claims 1-11] claim 1, wherein the drug for the solid core is potassium chloride, theophylline, a theophylline salt, phenylpropanolamine, sodium salicylate, choline theophyllinate, paracetamole, carbidopa, levodopa, diltiazem, enalapril, verapamil, naproxen, pseudoephedrin, nicorandil, oxybutin, morphine, oxycodone or propranolol.

13. (Amended) A method according to [any one of the claims 1-12] claim 1, wherein the aqueous dispersion includes at most 20%, preferably at most 10% and most preferably at most 5% by weight of organic solvent.

14. (Amended) A method according to [any one of the claims 1-12] claim 1, wherein the obtained coated cores are cured with heat or moisture.

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Marked-up Claims 3-16 and 19-22

15. (Amended) A method according to [any one of the claims 1-17] claim 1, wherein the pore-former in the coating suspension is stabilized with one or more ionic, non-ionic or polymer surfactants.

16. (Amended) A method according to [any one of the claims 1-18] claim 1, wherein the coating polymer is plasticized.

19. (Amended) Preparation according to [any one of the claims 17 or 18] claim 17, wherein the amount of the pore-forming agent is 40-95, preferable 50-90% and most preferably 55-88% by weight of the total weight of the dry coating.

20. (Amended) Preparation according to [any one of the claims 17-19] claim 17, wherein the polymer is ethylcellulose, cellulose-acetate, celluloseacetatebutyrate, celluloseacetatepropionate, nitrocellulose, polymethylemethacrylate, poly(ethylacrylate, methylmetacrylate), polyvinylacetate, polyvinylchloride, polyethylene, polyisobutylene, poly(ethylacrylate, methylmetacrylate, trimethylammonioethylmetacrylatchloride), a block-or copolymer of the polymers or a composition wherein at least one of the components is selected from these polymers.

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Marked-up Claims 3-16 and 19-22

21. (Amended) Preparation according to [any one of the claims 17-19] claim 17, wherein the coating polymer is a copolymer consisting of 50-100% by weight of polyvinyl chloride and 0-50% by weight of polyvinyl acetate.
22. (Amended) Preparation according to [claims 17-19] claim 17, wherein the coating polymer is a copolymer consisting of 80-95% by weight of polyvinylchloride, 0,5-19% by weight of polyvinylacetate and 0,5-10% by weight of polyvinylalcohol.

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